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10/820,066	04/08/2004	Yoshiyuki Tamai	325772035900	7217

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EXAMINER

SAEED, USMAAN

ART UNIT	PAPER NUMBER
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2166

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/820,066	Applicant(s) TAMAI ET AL.	
	Examiner Usmaan Saeed	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/08/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 are pending in this office action.

Information Disclosure Statement

2. Applicants Information Disclosure Statement, filed on 04/08//2004, has been received, entered into record and considered. See attached form PTO-1449.

Priority

3. Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a certified English translation of the foreign application must be submitted in reply to this action. 37 CFR 41.154(b) and 41.202(e).

Failure to provide a certified translation may result in no benefit being accorded for the non-English application.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 6-8, 14-16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dawson et al.** (**Dawson** hereinafter) (U.S. PG Pub No. 2003/0234953) in view of **Shigeo Nara.** (**Nara** hereinafter) (U.S. PG Pub No. 2001/0017620).

With respect to claims 1, 6, 14, and 19 **Dawson** teaches an information processing apparatus/method comprising:

“a search controller which executes searching of shared folders in which image data are stored, shared by a plurality of information processing apparatuses connected to a network” as there also exists peer-to-peer architectures that allow a user to view pictures that another person has designated for sharing by

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actively connecting to the other person's computer and searching (**Dawson** Paragraph 0008).

“a memory unit which stores results of searching of said shared folders”

as if a good and/or service is subsequently requested of this particular image by a user, the controlling computer 14 maintains a list of images, their owners, and their storage location (which may or may not be on computer 16) for retrieval in conjunction with the providing of the good and/or service requested. In an alternate embodiment, the sharing software transmits a copy of the full resolution shared image back to the controlling computer 14 which stores the full size shared image to facilitate the providing of goods and/or services that any participating user may request (**Dawson** Paragraph 0090).

“a comparator which compares shared folders of the present search with those of the last search” as if the found set is not confirmed by the user, an alternate method (Step 72) is automatically initiated on behalf of the user to find appropriate images to share. Each found set is displayed again in Step 68 and the cycle of searching and confirming repeats until the desired set of images has been designated (Step 78). One such alternate method involves commonly used natural language processing techniques such as looking for synonyms of the theme and searching on those terms. Another alternate method of searching the database is to use the theme to search image filenames (**Dawson** Paragraph 0100).

“a selection controller which allows selection of a shared folder in a destination to which image data is transmitted” as if no database structure is found,

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the sharing software of the user asks the user if he/she wishes to use the default folder (Step 74). If the default folder is the designated folder (Step 78), the user is reminded that he/she must locate and move the images to be shared to the default folder (Dawson Paragraph 0099).

“a display unit” as (Dawson figure 14).

Dawson teaches the elements of claims 1, 6, 14, and 19 but does not explicitly disclose “a display unit which displays the states of the information processing apparatuses associated with the shared folders in a shared folder management table which is updated, according to the result of the comparison made by said comparator” and “wherein, when said destination shared folder is selected, said display unit displays a management table according to the result of the comparison made by said comparator.”

However, **Nara discloses “a display unit which displays the states of the information processing apparatuses associated with the shared folders in a shared folder management table which is updated, according to the result of the comparison made by said comparator” and “wherein, when said destination shared folder is selected, said display unit displays a management table according to the result of the comparison made by said comparator” as (Nara Paragraphs 0054-0057).**

Nara further teaches “a comparator which compares shared folders of the present search with those of the last search” as (Nara Paragraphs 0054-0057).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Nara's** teachings would have allowed **Dawson** to provide an information processing apparatus, a network system, and a device-map display method which correctly and efficiently provide the user with the status information of a device connected to a network to allow the user to improve work efficiency (**Nara** Paragraph 0007).

With respect to claims 2, 7, and 15, **Dawson** teaches “**a document reader which reads a document and outputs the image data**” and “**a communication controller which transmits image data to said shared folders**” as by marking an image, a user is indicating that he/she wishes to take a future action with respect to either the marked image or the information represented by the marked image. This is useful when a user is scanning the image sequence being displayed, but doesn't have the time retrieve the related information or wants to review the related information and/or image at a future time. As is well known in the art, marking the image can be accomplished by selecting it with a right mouse click and further selecting an option from a resulting list (not shown). Button 360 permits the user to selectively request a compressed subcompilation of the compilation of digital images belonging to the image sharing event (**Dawson** Paragraph 0137, 0131, 0007).

With respect to claims 3, 8, and 16, **Dawson** does not explicitly teaches “**wherein, as the result of a shared folder search by said search controller, when**

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an information processing apparatus having a shared folder, which was found to be in an operating state by the last search, is found to be in a power OFF state by the present search, said display unit displays said shared folder management table in which indicating the state of the information processing apparatus changed.”

However, **Nara** discloses “wherein, as the result of a shared folder search by said search controller, when an information processing apparatus having a shared folder, which was found to be in an operating state by the last search, is found to be in a power OFF state by the present search, said display unit displays said shared folder management table in which indicating the state of the information processing apparatus changed” as (**Nara** Paragraphs 0049-51 and 0054-0057).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Nara's** teachings would have allowed **Dawson** to provide an information processing apparatus, a network system, and a device-map display method which correctly and efficiently provide the user with the status information of a device connected to a network to allow the user to improve work efficiency (**Nara** Paragraph 0007).

5. Claims 4-5, 9-13, 17-18, and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dawson et al.** (U.S. PG Pub No. 2003/0234953) in view of **Shigeo**

Nara. (U.S. PG Pub No. 2001/0017620) as applied to claims 1-3, 6-8, 14-16 and 19 above, further in view of **Koichi Tamura** (**Tamura** hereinafter) (Patent No. 7,027,427).

With respect to claims 4, 9 and 17, **Dawson** teaches “**shared folders**” as there also exists peer-to-peer architectures that allow a user to view pictures that another person has designated for sharing by actively connecting to the other person's computer and searching (**Dawson** Paragraph 0008).

Dawson and Nara teach elements of claim 4, 9, and 17 but does not explicitly disclose, “**wherein said search controller executes searching at intervals of first predetermined time.**”

However, **Tamura** discloses “**wherein said search controller executes searching at intervals of first predetermined time**” as a cell search method in a CDMA system comprises the steps of starting a timer on ending communication, of determining, by watching a timer value of the timer on starting the next communication, whether or not the timer value is not less than a communication stop time interval threshold value, and of carrying out a cell search processing using a cell search result on previous communication when the timer value is less than the communication stop time interval threshold value (**Tamura** Col 4, Lines 12-20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Tamura's** teachings would have allowed **Dawson and Nara** to provide a cell search method for a CDMA which is capable of carrying out a cell search processing at a high speed by

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using a previous cell search result and to provide a cell search method for CDMA of the type described, which is capable of decreasing consumed power in the cell search processing (**Tamura** Col 3, Lines 55-65).

With respect to claim 5, 10, and 18, **Dawson** teaches **“shared folders”** as there also exists peer-to-peer architectures that allow a user to view pictures that another person has designated for sharing by actively connecting to the other person's computer and searching (**Dawson** Paragraph 0008). **“time memory unit for memorizing time”** as the image sharing event can be, but is not limited to, a period of time during which digital images are to be shared defined by a start time and date and a time duration (**Dawson** Paragraph 0082).

Dawson teaches elements of claims 5, 10, and 18 but does not explicitly disclose, **“a folder has become unable to be searched for, when such a folder is detected through folder searching by said search controller, wherein, if the folder remains unable to be searched for during consecutive iteration of folder searching by said search controller at intervals of second predetermined time, said search controller stops searching for the folder and, indication of folder and related entries are deleted from the folder management table displayed on said display unit.”**

However, **Nara** discloses **“a folder has become unable to be searched for, when such a folder is detected through folder searching by said search controller”** and **“said search controller stops searching for the folder and,**

indication of folder and related entries are deleted from the folder management table displayed on said display unit" as it is determined in step S203 whether the "search thread" has been terminated or not. Whether the "search thread" has been terminated is determined by the state, ON or OFF, of the search termination flag disposed in the area shared by the "display thread" and the "search thread." When it is determined that the "search thread" has not yet been terminated, the processing returns to step S202, the "display thread" enters the sleep state again, and the termination of the "search thread" is awaited. When it is determined in step S203 that the "search thread" has been terminated, the device map shown in FIG. 4 is re-displayed in the CRT 116 in step S204 according to the information stored in the HD 110, shown in FIG. 6, namely, the connection information and the use-condition information newly stored of all the devices on the network (**Nara** Paragraph 0049).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Nara's** teachings would have allowed **Dawson** to provide an information processing apparatus, a network system, and a device-map display method which correctly and efficiently provide the user with the status information of a device connected to a network to allow the user to improve work efficiency (**Nara** Paragraph 0007).

Dawson and Nara teach the elements of claims 5, 10, and 18 but do not explicitly disclose **"searched for during consecutive iteration of folder searching by said search controller at intervals of second predetermined time."**

However, **Tamura** discloses “**searched for during consecutive iteration of folder searching by said search controller at intervals of second predetermined time**” as a communication stop time interval, of carrying out a cell search processing using a previous cell search result when the communication stop time interval is shorter than a first threshold time interval, and of carrying out a cell search processing using the previous cell search result in consideration of a timing offset between respective sectors when the communication stop time interval is not shorter than the first threshold time interval and is shorter than a second threshold time interval (**Tamura** Col 4, Lines 30-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Tamura's** teachings would have allowed **Dawson and Nara** to provide a cell search method for a CDMA which is capable of carrying out a cell search processing at a high speed by using a previous cell search result and to provide a cell search method for CDMA of the type described, which is capable of decreasing consumed power in the cell search processing (**Tamura** Col 3, Lines 55-65).

With respect to claims 11 and 20, **Dawson** teaches “**wherein, after a destination shared folder to transmit image data to is selected**” as if no database structure is found, the sharing software of the user asks the user if he/she wishes to use the default folder (Step 74). If the default folder is the designated folder (Step 78), the

user is reminded that he/she must locate and move the images to be shared to the default folder (**Dawson** Paragraph 0099).

Dawson and Nara teaches the elements of claims 11 and 20 as noted above but does not explicitly disclose “**said search controller executes shared folder searching at intervals of said second predetermined time that is shorter than said first predetermined time.**”

However, **Tamura** discloses “**said search controller executes shared folder searching at intervals of said second predetermined time that is shorter than said first predetermined time**” as a communication stop time interval, of carrying out a cell search processing using a previous cell search result when the communication stop time interval is shorter than a first threshold time interval, and of carrying out a cell search processing using the previous cell search result in consideration of a timing offset between respective sectors when the communication stop time interval is not shorter than the first threshold time interval and is shorter than a second threshold time interval (**Tamura** Col 4, Lines 30-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Tamura's** teachings would have allowed **Dawson and Nara** to provide a cell search method for a CDMA which is capable of carrying out a cell search processing at a high speed by using a previous cell search result and to provide a cell search method for CDMA of the type described, which is capable of decreasing consumed power in the cell search processing (**Tamura** Col 3, Lines 55-65).

With respect to claims 12 and 21, **Dawson** teaches **“a shared folder is selected as the destination to transmit image data to”** as there also exists peer-to-peer architectures that allow a user to view pictures that another person has designated for sharing by actively connecting to the other person's computer and searching (**Dawson** Paragraph 0008). If no database structure is found, the sharing software of the user asks the user if he/she wishes to use the default folder (Step 74). If the default folder is the designated folder (Step 78), the user is reminded that he/she must locate and move the images to be shared to the default folder (**Dawson** Paragraph 0099).

Dawson teaches elements of claims 12 and 21 but does not explicitly teaches **“a shared folder that is unable to be searched for”** and **“search controller executes shared folder searching at intervals of said second predetermined time that is shorter than said first predetermined time.”**

However, **Nara** discloses **“a shared folder that is unable to be searched for”** as it is determined in step S203 whether the "search thread" has been terminated or not. Whether the "search thread" has been terminated is determined by the state, ON or OFF, of the search termination flag disposed in the area shared by the "display thread" and the "search thread." When it is determined that the "search thread" has not yet been terminated, the processing returns to step S202, the "display thread" enters the sleep state again, and the termination of the "search thread" is awaited. When it is determined in step S203 that the "search thread" has been terminated, the device map shown in FIG. 4 is re-displayed in the CRT 116 in step S204 according to the

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information stored in the HD 110, shown in FIG. 6, namely, the connection information and the use-condition information newly stored of all the devices on the network (**Nara** Paragraph 0049).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Nara's** teachings would have allowed **Dawson** to provide an information processing apparatus, a network system, and a device-map display method which correctly and efficiently provide the user with the status information of a device connected to a network to allow the user to improve work efficiency (**Nara** Paragraph 0007).

Dawson and Nara teach the elements of claims 12 and 21 but do not explicitly disclose **“search controller executes shared folder searching at intervals of said second predetermined time that is shorter than said first predetermined time.”**

However, **Tamura** discloses **“search controller executes shared folder searching at intervals of said second predetermined time that is shorter than said first predetermined time”** as a communication stop time interval, of carrying out a cell search processing using a previous cell search result when the communication stop time interval is shorter than a first threshold time interval, and of carrying out a cell search processing using the previous cell search result in consideration of a timing offset between respective sectors when the communication stop time interval is not shorter than the first threshold time interval and is shorter than a second threshold time interval (**Tamura** Col 4, Lines 30-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Tamura's** teachings would have allowed **Dawson and Nara** to provide a cell search method for a CDMA which is capable of carrying out a cell search processing at a high speed by using a previous cell search result and to provide a cell search method for CDMA of the type described, which is capable of decreasing consumed power in the cell search processing (**Tamura** Col 3, Lines 55-65).

With respect to claims 13 and 22, **Dawson** teaches “**a memory unit memorizing the number of times of shared folder selection as the destination to transmit image data through said selection controller**” as further information or event criteria such as the minimum number of times that the shared images cycle through the list of participating users, hereafter referred to as a round, also contribute to the definition of the image sharing event (**Dawson** Paragraph 0083). If no database structure is found, the sharing software of the user asks the user if he/she wishes to use the default folder (Step 74). If the default folder is the designated folder (Step 78), the user is reminded that he/she must locate and move the images to be shared to the default folder (**Dawson** Paragraph 0099).

“**if the number of times said shared folder has been selected exceeds a predetermined number of times**” as an image sharing event can have criterion like a specified minimum number of rounds that can cause the image sharing event to exceed the maximum event duration. Likewise, the image sharing event duration may exceed

the time necessary for the sharing software to collect all the images to be shared in the specified minimum number of rounds (**Dawson** Paragraph 0083).

Dawson teaches elements of claims 13 and 21 but does not explicitly disclose, **"If the shared folder remains unable to be searched for by said search controller longer than said second predetermined time, then said shared folder is automatically deleted for the destination and, indication of shared folder and related entries are deleted from the shared folder management table displayed on said display unit."**

However, **Nara** discloses **"If the shared folder remains unable to be searched for by said search controller, then said shared folder is automatically deleted for the destination and, indication of shared folder and related entries are deleted from the shared folder management table displayed on said display unit"** as it is determined in step S203 whether the "search thread" has been terminated or not. Whether the "search thread" has been terminated is determined by the state, ON or OFF, of the search termination flag disposed in the area shared by the "display thread" and the "search thread." When it is determined that the "search thread" has not yet been terminated, the processing returns to step S202, the "display thread" enters the sleep state again, and the termination of the "search thread" is awaited. When it is determined in step S203 that the "search thread" has been terminated, the device map shown in FIG. 4 is re-displayed in the CRT 116 in step S204 according to the information stored in the HD 110, shown in FIG. 6, namely, the connection information

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and the use-condition information newly stored of all the devices on the network (**Nara** Paragraph 0049).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Nara's** teachings would have allowed **Dawson** to provide an information processing apparatus, a network system, and a device-map display method which correctly and efficiently provide the user with the status information of a device connected to a network to allow the user to improve work efficiency (**Nara** Paragraph 0007).

Dawson and Nara teach the elements of claims 13 and 22 but do not explicitly disclose "**longer than said second predetermined time.**"

However, **Tamura** discloses "**longer than said second predetermined time**" as a communication stop time interval, of carrying out a cell search processing using a previous cell search result when the communication stop time interval is shorter than a first threshold time interval, and of carrying out a cell search processing using the previous cell search result in consideration of a timing offset between respective sectors when the communication stop time interval is not shorter than the first threshold time interval and is shorter than a second threshold time interval (**Tamura** Col 4, Lines 30-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Tamura's** teachings would have allowed **Dawson and Nara** to provide a cell search method for a CDMA which is capable of carrying out a cell search processing at a high speed by

using a previous cell search result and to provide a cell search method for CDMA of the type described, which is capable of decreasing consumed power in the cell search processing (**Tamura** Col 3, Lines 55-65).

Conclusion

6. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure is listed on 892 form.

Examiner's Note: Examiner has cited particular paragraphs, or columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Contact Information


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usmaan Saeed whose telephone number is (571)272-4046. The examiner can normally be reached on M-F 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Usmaan Saeed
Patent Examiner
Art Unit: 2166

Leslie Wong 
Primary Examiner

US
January 3, 2007


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER